

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 18-36 are presently pending in this case. Claim 18 is amended by the present amendment. As amended Claim 18 is supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claim 18 was objected to; Claims 18, 19, 27, and 31 were rejected under 35 U.S.C. §102(b) as anticipated by Jansseune (U.S. Patent No. 6,043,646); Claims 18, 20, 23-25, 31, and 32 were rejected under 35 U.S.C. §102(b) as anticipated by Hattori et al. (U.S. Patent No. 4,424,705, hereinafter "Hattori"); Claims 18, 21, and 33 were rejected under 35 U.S.C. §102(b) as anticipated by Carr et al. (U.S. Patent No. 4,745,363, hereinafter "Carr"); Claims 22, 26, 28, 30, 35, and 36 were rejected under 35 U.S.C. §103(a) as unpatentable over Carr in view of McDearmon et al. (U.S. Patent Application Publication No. 20040017190, hereinafter "McDearmon"); and Claims 20 and 29 were rejected under 35 U.S.C. §103(a) as unpatentable over Carr in view of Woyton (U.S. Patent No. 3,916,326). However, Claim 34 was allowed.

Applicants gratefully acknowledge the allowance of Claim 34.

With regard to the objection to Claim 18, Claim 18 is amended to provide antecedent basis for all terms. Accordingly, the objection to Claim 18 is believed to be overcome.

With regard to the rejections of Claim 18 as anticipated by Jansseune, Hattori, and Carr, those rejections are believed to be overcome by the addition of some of the subject matter in Claim 36 into Claim 18. Accordingly, the rejection of Claim 36 as unpatentable over Carr in view of McDearmon is respectfully traversed with respect to amended Claim 18.

¹See, e.g., the original claims and paragraphs 49, 59, and 72 of the publication of the application.

Amended Claim 18 recites in part:

a target made of a ferromagnetic material;
at least one magnet, the target and the magnet defining
between one another an air gap; and
a magnetosensitive element detecting a magnetic
induction caused by a presence of the target and related to the
air gap between the target and the magnet, wherein the at least
one magnet has a unidirectional magnetization along a
direction substantially perpendicular to a front surface of the
magnet bounding one edge of the air gap, the magnet having a
cavity opening on the front surface of the magnet, the
magnetosensitive element being seated in the cavity, the target
having a geometric configuration such that the induction as a
function of the position of the target corresponds to a
predefined **linear** function.

With respect to Claim 36, the outstanding Office Action apparently conceded that Carr does not describe “a linear induction function as a function of displacement” and cited McDearmon as describing this feature.² However, it is respectfully submitted that McDearmon only describes that a sensor output may or may **not** be linear. Thus, McDearmon does not describe a target having a geometric configuration such that the induction as a function of the position of the target corresponds to a **predefined linear** function. At best, McDearmon describes that a sensor output may accidentally be linear under some unknown circumstances. McDearmon does not describe any way to manufacture a target such that the induction as a function of the position of the target corresponds to a predefined linear function. Thus, McDearmon can not teach or suggest “a target” as defined in amended Claim 18. Thus, it is respectfully submitted that proposed combination does not teach or suggest “a target,” “at least one magnet,” and “a magnetosensitive element” as defined in amended Claim 18. Consequently, Claim 18 (and Claims 19-33, 35, and 36 dependent therefrom) is patentable over Carr and McDearmon.

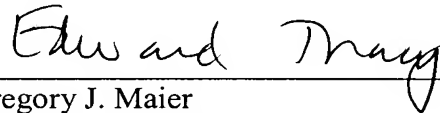
²See the outstanding Office Action at page 7.

With regard to the rejection of Claims 20 and 29 as unpatentable over Carr in view of Woyton, that rejection is believed to be overcome by the addition of some of the subject matter in Claim 36 into Claim 18 (from which Claims 20 and 29 depend).

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Edward Tracy", is written over a horizontal line.

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